



California Regional Water Quality Control Board

Santa Ana Region



Terry Tamminen
Secretary for
Environmental
Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
(909) 782-4130 • Fax (909) 781-6288
<http://www.swrcb.ca.gov/rwqcb8>

Arnold Schwarzenegger
Governor

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday March 12, 2004

9:00 A.M.

Orange County Sanitation District

10844 Ellis Avenue

Fountain Valley

NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.swrcb.ca.gov/rwqcb8 and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.swrcb.ca.gov/rwqcb8 and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five—minute time limit.
3. **Approval of the minutes of the Regular Meeting of January 22, 2004.**
{Catherine A. Ehrenfeld 909/782-3285 cehrenfe@rb8.swrcb.ca.gov}
4. **Consideration of Consent Calendar Items.** (Items marked with an asterisk are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.)
- *5. **Renewal of Waste Discharge Requirements, Glen Ivy Hot Springs, Inc., Riverside County (NPDES No. CA8000023)** — for discharges of approximately 80,000 gallons per day of spa water and/or swimming pool water to a local drainage ditch tributary to Temescal Creek.
{Postponed from January 22, 2004}
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order No. R8-2004-0003

California Environmental Protection Agency



- *6. **Revised Waste Discharge Requirements, Orange County Water District, Interim Water Factory 21 and Groundwater Replenishment System, Talbert Gap Seawater Intrusion Barrier and Kraemer/Miller Recharge Basins, Orange County** — for production and use of recycled water to maintain the Talbert Gap and for groundwater recharge and reuse.
{Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov} Order # R8-2004-0002

- *7. **Rescissions** — Waste Discharge Requirements for the following facilities are proposed to be rescinded because discharges from the facilities have ceased, the dischargers are regulated by other orders, or the discharges pose an insignificant threat to water quality.
{Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov

	<u>ORDER #</u>	<u>FACILITY & LOCATION</u>
1.	R8-2002-0096	Riverside Waste Management Dept., Moreno Valley General WDR for the discharge of Stormwater and Wastes
2.	94-26	Associated with Boatyard Operations and discharges of Other Related Wastes to Lower Newport Bay and Huntington Harbor .

- *8. **Federal Fiscal Year (FFY) 2004 State Revolving Fund (SRF) Loan Program for the Santa Ana Region** — The Board will consider adoption of the FFY 2004 Priority List of SRF projects within the Santa Ana Region. Resolution No. R8-2004-0027
{Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov

9. **Administrative Civil Liability Complaint, Union Pacific Railroad, San Bernardino County** — The Board will consider adoption of Order No. R8-2004-0016 assessing administrative civil liability as proposed in Administrative Civil Liability Complaint No. R8-2003-0124.
{Postponed from January 22, 2004}
{Milasol C. Gaslan 909/782-4419 mgaslan@rb8.swrcb.ca.gov} Order No. R8-2004-0016

10. **Administrative Civil Liability Complaint, Holliday Rock Company, Inc. Orange County** — The Board will consider whether to affirm, reject or modify the proposed administrative civil liability assessment for violations of the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ, NPDES No. CAS000001. Proposed in Administrative Civil Liability Complaint No. Order No. R8-2004-0023
{Mark Smythe 909/782-4998 msmythe@rb8.swrcb.ca.gov} Complaint No. R8-2004-0023

11. **Administrative Civil Liability Complaint, Brookfield Homes Southland, Inc. Orange County** — The Board will consider whether to affirm, reject or modify the proposed administrative civil liability assessment for violations of the General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ, NPDES No. CAS000002.
{Mark Smythe 909/782-4998 msmythe@rb8.swrcb.ca.gov} Complaint No. R8-2004-0022

12. **San Bernardino Water Quality Management Plan - Public Workshop, San Bernardino County Municipal Storm Water Permittees' Model Water Quality Management Plan (WQMP) Guidance** - An initial list of issues will be provided to the Board regarding the Model WQMP Guidance for implementing Best Management Practices (BMPs) at new developments and significant redevelopments in San Bernardino County, submitted by the permittees as required under Order No. R8-2002-0012, the San Bernardino County MS4 permit. The Board will consider any unresolved significant issues regarding the WQMP at a later date. (Information Item)
{Milasol C. Gaslan 909/782-4419} mgaslan@rb8.swrcb.ca.gov

13. **Orange County CoastKeeper Presentation** – Orange County Coastkeeper will make a presentation to the Regional Board concerning their SEP-funded Kelp Reforestation project. {Jerry Thibeault 909/782-3284} jthibeault@rb8.swrcb.ca.gov
14. **Supplemental Environmental Project, California State University, San Bernardino** – Staff will present a proposal from the Water Resources Institute for SEP funding to be used to support the water resources programs (endowment) at California State University, San Bernardino {Jerry Thibeault 909/782-3284} jthibeault@rb8.swrcb.ca.gov
15. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – James Lotito, Mill Creek Cattle Station commercial building permit**, APN 298-111-21, APN 298-111-18 and part of 19, 1874 Mentone Blvd., Mentone, San Bernardino County. Proposed development of a restaurant including 70 fixture units on a 1.15 acre lot. {This item was postponed from the January 22, 2004 meeting {Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov}
16. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Paul Partida, 8967 Citation Court, Alta Loma, San Bernardino County. {Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov}
17. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Marinell Rick and Penny Cochran, 21697 High Street, Perris, Riverside County, APN 318-270-05 {Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov}
18. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Pablo and Hilda Hernandez, 21661 Corson Avenue, Perris, Riverside County, APN 295-292-035 {Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov}
19. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – David Kerr, Kerr Construction – 2610 Northshore, Moreno Valley, Riverside County. APN 474-353-001 {Jun Martinez 909/782-3258} jmartire@rb8.swrcb.ca.gov}
20. **Overview of the Occurrence of Perchlorate in the Santa Ana Region** – Staff Wwill present a report on the extent of the perchlorate problem in the Region (information item) {Robert Holub 909/782-3298} rholub@rb8.swrcb.ca.gov}
21. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** — Staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item). {Ann E. Sturdivant 909/782-4904} asturdiv@rb8.swrcb.ca.gov}
22. **Prado Sampling**
Staff will provide a written report on the annual water quality sampling of the Santa Ana River at Prado Dam (information item)
{Hope Smythe 909/782-4493} hsmythe@rb8.swrcb.ca.gov}
23. **Hazardous Waste and Sewage Spill Incident Report** — Lists of such incidents will be provided as an information item to the Regional Board (information item). {Kurt V. Berchtold 909/782-3286} kberchto@rb8.swrcb.ca.gov}

24. **Underground Storage Tanks Site Closure Report** — Regional Board Staff will provide to the Board a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d). {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
25. **Underground Storage Tanks Corrective Action Plans** — Regional Board Staff will provide a list of sites where Corrective Action plans have been submitted within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item). {Kenneth R. Williams 909/782-4496 kwilliam@rb8.swrcb.ca.gov}
26. **General Permits** — Staff will provide a list of all new permittees recently enrolled under the Region's general permits (information item). {Jun Martinez 909/782-3258 jmartire@rb8.swrcb.ca.gov}
27. **Executive Officer's Report** (information item). {Gerard J. Thibeault 909/782-3284 gthibeau@rb8.swrcb.ca.gov}
28. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
29. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

Authority: Government Code Section 11126 (a), (c)(3), and (e). Items which, may be discussed in closed session by the Board include litigation related to:

1. Stringfellow Hazardous Waste Site
 2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
 3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.
 4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
 5. Yucaipa Glen LLC
 6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
 7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
30. **Adjournment** to the regular meeting of April 30, 2004, at 9:00 a.m., at Cucamonga County Water District.

NOTICES

Any person who has a disability and requires special accommodation to participate in this Regional Board Meeting should contact Catherine Ehrenfeld at Cehrenfe@rb8.swrcb.ca.gov or at 909/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at (909) 782—3234.

California Regional Water Quality Control Board - Santa Ana Region
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Internet Address: <http://www.swrcb.ca.gov/rwqcb8>

BOARD INFORMATION SHEET

BOARD MEMBERS

Carole H. Beswick, Chair
Fred M. Ameri, Vice-Chair
John B. Withers
Jose J. Solorio
Seymour D. Van Gundy
Joan L. Dotson
William Ruh
Vacant
Vacant

APPOINTMENT CATEGORY

County Government
Industrial Water Use
Water Quality
Municipal Government
Water Quality
Water Supply
Recreation, Fish and Wildlife
Undesignated (Public)
Irrigated Agriculture

STATE BOARD LIAISON

Peter S. Silva

STAFF LEGAL COUNSEL

Jorge Leon

REGIONAL BOARD SENIOR STAFF

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer, Ombudsman
Joanne E. Schneider, Environmental Program Manager
Robert L. Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Gary D. Stewart, Chief of Surveillance and Enforcement
Dixie B. Lass, Chief of Land Disposal
Steven D. Mayville, Chief of Dairies/Chino Basin
Wanda K. Smith, Chief of Basin Planning - Coastal Waters
Hope A. Smythe, Chief of Basin Planning - Inland Waters
Mark G. Adelson, Chief of Regional Planning Programs
Mark E. Smythe, Chief of Stormwater - Coastal
Milasol C. Gaslan, Chief of Stormwater - Inland
Jun Martinez, Chief of Regulations
Ann E. Sturdivant, Chief of SLIC/Department of Defense
Kenneth R. Williams, Chief of Pollutant Investigations
Dorothy Wolfinbarger, Regional Administrative Officer
Catherine Ehrenfeld, Staff Services Analyst, Ombudsman

GENERAL STATEMENT

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board and the staff welcome information on pertinent problems but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled

meeting and only a summary of pertinent issues to be presented verbally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.
